

DISPOSITION: 12-19-56. Defendant fined \$800 and placed on probation for 3 years.

5146. *Gassup*. (F. D. C. No. 39297. S. No. 48-342 M.)

QUANTITY: 643 2-oz. btls. in 4 cases at Newark, N. J.

SHIPPED: 6-20-55, from Brooklyn, N. Y., by Manhattan Drug Co.

LABEL IN PART: (Btl.) "Gassup \* \* \* Active Ingredients Magnesium Trisilicate \* \* \* Gastom Chemical Company, Newark, New Jersey."

ACCOMPANYING LABELING: Leaflet designated "Gassup \* \* \* Indicated in the treatment of Acidity."

LIBELED: On or about 7-18-56, Dist. N. J.

CHARGE: 502 (a)—the labeling of the article, when shipped, contained false and misleading representations that the article was an effective treatment for indigestion and autointoxication; that it would relieve the pain of hemorrhoids; that it would prevent rheumatism; that it would reduce the accumulation of fat in the body, relieve headaches and dizziness, and prevent colds; that it would restore normal metabolism in the body; and that it was safe and suitable for continuous use; and 502 (f) (2)—the labeling of the article failed to bear a warning that frequent or continued use might lead to a dependence on laxatives.

DISPOSITION: 8-22-56. Default—destruction.

5147. *Monazite sand*. (Inj. No. 292.)

COMPLAINT FOR INFORMATION FILED: 11-1-55, W. Dist. Wash., against Raco, Inc., Seattle, Wash., and George Kosmos, president of the corporation.

LABEL IN PART: (Pad) "Cosmos Radioactive Pad \* \* \* Place Pad Under Pillow or Mattress."

ACCOMPANYING LABELING: Placards entitled "The Radioactive Material in the Cosmos Radioactive Pad," "Arthritis? Bursitis?" and "Idaho Bursitis? Rheumatism? \* \* \* Get the Cosmos Pad"; "blowup" photographs of an article entitled "Now—An Atomic Drugstore" taken from the January 21, 1955, issue of *Colliers Magazine*; copies of the January 21, 1955, issue of *Colliers Magazine*; leather-bound ring binders containing testimonial letters; and circulars entitled "Arthritis Bursitis Rheumatism."

CHARGE: The complaint alleged that the defendants caused an article known as *monazite sand* to be brought in bulk to Seattle, Wash., from places outside the State of Washington and to be packaged into pads labeled as described above; that, while the defendants held the sand and the pads for sale at Seattle, Wash., they caused such articles to be accompanied by the above-mentioned labeling and to be introduced into interstate commerce accompanied by such labeling.

The complaint alleged also that the articles, when introduced into interstate commerce, when received in interstate commerce, and while held for sale after shipment in interstate commerce, were misbranded as follows:

502 (a)—the labeling contained false and misleading representations that the articles provided an adequate and effective treatment for arthritis, bursitis, rheumatism, neuritis, and sinus trouble, and soreness of hands, wrists, forearms, and back; and